

ORDINANCE NO. 2012-15C

AN ORDINANCE AMENDING ORDINANCE ENTITLED, "CODE OF THE BOROUGH OF BEACH HAVEN, COUNTY OF OCEAN, STATE OF NEW JERSEY, (2000)" AS IN SECTION 204-27B(1) METERED RATES FOR WATER CONSUMPTION ARE ESTABLISHED.

THE MAYOR AND COUNCIL OF THE BOROUGH OF BEACH HAVEN DO ORDAIN:

SECTION I

PURPOSE

The purpose of this Ordinance is to correct a scrivener's error in Section 204-27B(1) where the metered rates for water are fixed by specifying that for water usage in excess of 25,000 gallons but less than 100,000 gallons shall be fixed at \$4.50 per thousand gallons. The failure to include "for any water in excess of 25,000 gallons" was an inadvertent scrivener's error and the clear intent of the Ordinance as originally drafted and adopted was to have the charge of \$4.50 be a charge for every 1,000 gallons of water used between 25,000 gallons and up to but not over 100,000 gallons in any quarter. The insertion called for in Section II merely clarifies what was the original intent of the Ordinance and in no way changes the billing rate which has been and will be charged for water during the year 2012 and forward.

SECTION II

§204-27B(1) is hereby amended by inserting the words "per thousand gallons" in the second line following "\$4.50" and before the phrase "for any water in excess of 25,000 gallons".

SECTION III

All Ordinances or parts of Ordinances inconsistent herewith are repealed to the extent of such inconsistency.

SECTION IV

If any word, phrase, clause, section or provision of this Ordinance shall be found by any Court of competent jurisdiction to be unenforceable, illegal or unconstitutional such word, phrase, clause, section or provision shall be severable from the balance of the Ordinance and the remainder of the Ordinance shall remain in full force and effect.

SECTION V

This Ordinance shall take effect upon publication thereof after final passage according to law.

NOTICE

Public Notice is hereby given that the foregoing Ordinance was introduced and passed on the first reading at a regular meeting of the Borough Council of the Borough of Beach Haven, County of Ocean, State of New Jersey, held on Monday July 9, 2012 at 7:00 p.m.

Further public notice is hereby given that said ordinance shall be considered for final passage and adoption at a regular meeting of the Borough Council to be held on Monday August 13, 2012 at 7:00 p.m. at the Beach Haven Municipal Building, 300 Engleside Avenue, Beach Haven, New Jersey 08008.

CERTIFICATION

I, Lauren Rohrer, Deputy Municipal Clerk of the Borough of Beach Haven, do hereby certify that the foregoing Ordinance was duly adopted on final reading by the Municipal Council of the Borough of Beach Haven at a regular meeting held on the 9th day of July, 2012, a quorum being present and voting in the majority.

IN WITNESS WHEREOF, I have hereunto set my hand and official seal this 9th day of July, 2012.

Lauren Rohrer, Deputy Municipal Clerk

Shackleton & Hazeltine
Borough Solicitors
Ship Bottom, NJ 08008